

Express Mail No.: EV312711519US

Mailed: 8/2/04



## UNITED STATES PATENT AND TRADEMARK OFFICE

08.07.64

JFW

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/826,077	04/15/2004	Martin Stanton	23239-531 CIP

30623  
 MINTZ, LEVIN, COHN, FERRIS, GLOVSKY  
 AND POPEO, P.C.  
 ONE FINANCIAL CENTER  
 BOSTON, MA 02111



CONFIRMATION NO. 9984

## FORMALITIES LETTER



\*OC000000013089412\*

Date Mailed: 06/28/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

08/04/2004 EFLORES 00000070 10826077

FILED UNDER 37 CFR 1.53(b)

01 FC:2051

65.00 OP

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- This application clearly fails to comply with the requirements of 37 CFR 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216

- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$65** for a Small Entity

- **\$65** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

---

*A copy of this notice **MUST** be returned with the reply.*

Meaza-W  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

Express Mail Label No.: EV312711519US  
Date of Deposit: August 2, 2004



Attorney Docket No. 23239-531 CIP

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: **Stanton, et al.**  
Serial Number: **10/826,077** EXAMINER: **Not Yet Assigned**  
Filing Date: **April 15, 2004** ART UNIT: **1645**  
For: **APTAMER-TOXIN MOLECULES AND METHODS FOR USING SAME**

**Mail Stop MISSING PARTS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

**TRANSMITTAL LETTER**

Transmitted herewith for filing in the above-referenced patent application are the following documents:

1. Copy of Notice to File Missing Parts of Nonprovisional Application (2 pgs.);
2. Response to Notice to File Missing Parts (1 pg.);
3. Check No. 19076 in the amount of \$65.00 to cover Missing Parts fee;
4. Combined Declaration and Power of Attorney for Patent Application, (2 pgs.);
5. Preliminary Amendment (3 pages);
6. Paper Copy of the Sequence Listing (2 pgs.);
  - a. Computer Readable Form Copy of the Sequence Listing (1 disc);
  - b. Statement in Support of Computer Readable Form Submission (1 page); and
7. Return postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at 617-542-6000, Boston, Massachusetts.

**Confirmation No.: 9984**  
**Filed: April 15, 2004**

The Commissioner is authorized to charge any additional fees that may be due, or to credit any overpayment, to the undersigned's account, Deposit Account No. 50-0311, Ref. No.23239-531CIP (ARC-31CIP). A duplicate copy of this transmittal letter is enclosed herewith.

Respectfully submitted,

Date: August 2, 2004

*for. Suri Alrifai Reg. No. 53097*  
for. Suri Alrifai, Reg. No. 39,529  
Attorney for Applicants  
c/o MINTZ, LEVIN  
One Financial Center  
Boston, Massachusetts 02111  
Tel: (617) 542-6000  
Fax: (617) 542-2241

Please address all correspondence to customer number 30623.

TRA 1943754v1

Express Mail Label No.: EV312711519US  
Date of Deposit: August 2, 2004



Attorney Docket No. 23239-531 CIP

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Stanton, *et al.*  
Serial Number: 10/826,077 EXAMINER: Not Yet Assigned  
Filing Date: April 15, 2004 ART UNIT: 1645  
For: APTAMER-TOXIN MOLECULES AND METHODS FOR USING SAME

**Mail Stop MISSING PARTS**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

In response to the Notice To File Missing Parts of Nonprovisional Application mailed June 28, 2004 in the above-identified application, Applicants submit herein an executed Combined Declaration and Power of Attorney form (2 pgs.), payment of the surcharge of \$65.00 (Check No. 19076) as set forth in 37 C.F.R. §1.16(e), a copy of the Notice to File Missing Parts of Nonprovisional Patent Application (2 pgs.), Preliminary Amendment (3 pgs.), Paper Copy of Sequence Listing (2 pgs.), CRF of Sequence Listing (1 disk) and Statement in Support of CRF (1 pg.). This application is entitled to small entity status.

With no extension, this response is due on or before Saturday, August 28, 2004. Accordingly, Applicants believe no additional fees are due in connection with this timely filing. However, the Commissioner is hereby authorized to charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 23239-531CIP (ARC-31CIP).

Respectfully submitted,

Date: August 2, 2004

*Yvor R. Elrifli Reg No 39,529*  
for: Yvor R. Elrifli, Reg. No. 39,529  
Attorney for Applicants  
c/o MINTZ, LEVIN  
One Financial Center  
Boston, Massachusetts 02111  
Tel: (617) 542-6000  
Fax: (617) 542-2241

Please address all correspondence to customer number 30623.